

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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ALICE PRICE,

Plaintiff,

v.

MICHAEL J. ASTRUE,

Defendant.

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Civil No. 08-1313 (ADM/JJG)

**ORDER ON REPORT AND  
RECOMMENDATION**

The above-entitled matter came before the Court upon the Report and Recommendation of the United States Magistrate Judge. The parties have indicated that there are no objections to that Report and Recommendation.

Based upon the Report and Recommendation of the Magistrate Judge, and all the files, records and proceedings herein,

**IT IS HEREBY ORDERED** that:

1. Plaintiff's Motion for Summary Judgment is GRANTED IN PART for remand for further proceedings consistent with this Report and Recommendation, in accordance with sentence four of 42 U.S.C. § 405(g), and DENIED IN PART for award of benefits (Doc. No. 8);
2. Defendant's Motion for Summary Judgment (Doc. No. 19) is DENIED.

Dated: July 17, 2009

s/ Ann D. Montgomery  
ANN D. MONTGOMERY  
United States District Judge